

APPEAL NO. 032232
FILED OCTOBER 15, 2003

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing was held on August 5, 2003. The hearing officer determined that the appellant (claimant) did not sustain a compensable injury on _____, and did not have disability. The claimant appeals these determinations. The respondent (carrier) urges affirmance of the hearing officer's decision.

DECISION

Affirmed.

The disputed issues in this case involved factual questions for the hearing officer to resolve. The hearing officer is the sole judge of the weight and credibility of the evidence (Section 410.165(a)) and it is for the hearing officer to resolve such conflicts and inconsistencies in the evidence as were present in this case (Garza v. Commercial Insurance Co. of Newark, New Jersey, 508 S.W.2d 701 (Tex. Civ. App.-Amarillo 1974, no writ)). It was the hearing officer's prerogative to believe all, part, or none of the testimony of any witness, including that of the claimant. Aetna Insurance Company v. English, 204 S.W.2d 850 (Tex. Civ. App.-Fort Worth 1947, no writ). The Appeals Panel will not disturb the challenged factual findings of a hearing officer unless they are so against the great weight and preponderance of the evidence as to be clearly wrong or manifestly unjust and we do not find them to be so in this case. Cain v. Bain, 709 S.W.2d 175, 176 (Tex. 1986); In re King's Estate, 150 Tex. 662, 244 S.W.2d 660 (1951).

The claimant points out on appeal that in the Statement of the Evidence portion of the decision the hearing officer incorrectly referred to Dr. M as a friend of the claimant's. The record contains no evidence to substantiate this assertion. However, as there is no indication that the hearing officer based his decision on this inaccurate description of the claimant's relationship with Dr. M as a friend, rather than an established patient as reflected in the evidence, we perceive no reversible error in the inaccuracy.

The true corporate name of the insurance carrier is **ONEBEACON INSURANCE COMPANY** and the name and address of its registered agent for service of process is

**HARRIS & HARRIS
5300 BEE CAVE ROAD, BUILDING 3, SUITE 200
AUSTIN, TEXAS 78746.**

Chris Cowan
Appeals Judge

CONCUR:

Michael B. McShane
Appeals Panel
Manager/Judge

Edward Vilano
Appeals Judge